

REMARKS

In response to the Office Action dated October 31, 2002, the Applicants offer the following remarks.

In the Office Action the Examiner rejected claims 1, 2, 5, and 6 under 35 U.S.C. § 102(a) as being clearly anticipated by *Nielson et al.* In addition, claims 1 - 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nielson et al.* And, finally, claims 1 - 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mackey et al.*, in view of either *Haut et al.* or *Bret et al.* The Applicants respectfully traverse these rejections.

Claims 1 and 4 have been amended to more clearly recite the invention. Claims 2, 3, and 5 - 7 have been amended, the amendments being clarifying only and not narrowing of the subject matter claimed. No new matter has been added by these amendments.

According to the Examiner, *Nielson et al.* discloses spraying an absorbent paper product with a lotion by means of a stream of gas. *Nielson et al.* at least does not disclose, however, that the "lotion is a liquid at room temperature and is of the type comprising one or more emollient active substances as a dispersion or as an emulsion in a volatile liquid vehicle, wherein the proportion by weight of the volatile liquid vehicle is at least about 50%," as recited in amended claim 1. Instead, *Nielson et al.* teaches that the additive composition, i.e., the volatile liquid vehicle, is "substantially free" of solvent or water, such that the composition comprises less than 2% solvent or water by weight. Moreover, *Nielson et al.* fails to disclose "spraying the lotion by means of a stream of gas under pressure of at least about 1 bar to about 5 bar," as recited in new

claim 8. Instead, *Nielson et al.* discloses that the liquid mixture of additive composition and compressed fluid is maintained under pressure of 35 bar or greater. For at least these reasons, claims 1 and 8, as well as the claims that depend therefrom, are patentable over *Nielson et al.*

Regarding the rejection over *Mackey et al.*, in view of either *Haut et al.* or *Bret et al.*, the Examiner asserted that *Mackey et al.* discloses application of a lotion to absorbent tissue paper with a stream of gas, but requires that the lotion be sprayed at a temperature of 160°F. The Examiner further asserted that *Haut et al.* and *Bret et al.* each teach absorbent tissue paper products with a lotion having a melting point of about 5°C that is applied by means other than spraying. The cited prior art fails to disclose, however, that the "lotion is a liquid at room temperature and is of the type comprising one or more emollient active substances as a dispersion or as an emulsion in a volatile liquid vehicle, wherein the proportion by weight of the volatile liquid vehicle is at least about 50%," as recited in amended claim 1, or "spraying the lotion by means of a stream of gas under pressure of at least about 1 bar to about 5 bar," as recited in new claim 8. Specifically, *Mackey et al.* teaches that the additive composition, i.e., the volatile liquid vehicle, is "substantially free" of solvent or water, such that the composition comprises less than 5% solvent or water by weight. Moreover, *Mackey et al.* does not disclose spraying the lotion, at room temperature, under pressure of at least about 1 bar to about 5 bar. Neither *Haut et al.* nor *Bret et al.* remedy these deficiencies. Thus, for at least these reasons, claims 1 and 8, as well as the claims that depend therefrom, are patentable over the cited prior art.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

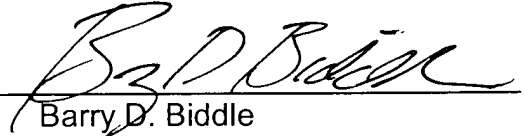
1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

If there are any other fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 5, 2003

By: 
Barry D. Biddle
Reg. No. 44,033

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com